

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

KYLE E. HUTSON, as Executor of the Estate	:	
of Marion S. Hutson, deceased,	:	
	:	Case No. 3:19-cv-65
Plaintiff,	:	
	:	Judge Thomas M. Rose
v.	:	
	:	
UPLANDS VILLAGE,	:	
	:	
Defendant.	:	

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**ENTRY AND ORDER GRANTING JOINT MOTION TO DISMISS WITH  
PREJUDICE (DOC. 30)**

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The Parties filed a “Joint Motion to Dismiss With Prejudice” (Doc. 30), in which they informed the Court that all matters in controversy have been resolved, they move the Court to dismiss this case with prejudice, and they request that the Court retain jurisdiction for the limited purpose of enforcing the terms of a Release and Settlement Agreement that they submitted to the Court (and which the Court has filed under seal).

Accordingly, having received a copy of the Release and Settlement Agreement for that limited purpose, the Court hereby dismisses this case with prejudice pursuant to Fed. R. Civ. P. 41(a) and agrees to retain jurisdiction over the matter for the purpose of enforcing the terms of the Release and Settlement Agreement between the Parties. As requested by the Parties in their Joint Motion, each party shall bear its own costs.

**DONE and ORDERED** in Dayton, Ohio, this Monday, December 30, 2019.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE